

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PETER ALLEN, et al.,

Plaintiffs,

-against-

CARL KOENIGSMANN, et al.,

Defendants.

No. 19-CV-8173 (LAP)

ORDER

LORETTA A. PRESKA, UNITED STATES DISTRICT JUDGE:

The Court is receipt of the parties' pre-motion letters and attachments regarding certain documents over which the Defendants assert privilege.¹ Construing the parties' papers as their motion papers, the Court orders the following:

- For the documents over which Defendants continue to assert a privilege, (see dkt. no. 218-1), Plaintiffs' counsel shall choose three documents from each of the five categories identified in her letter of January 28, 2021. (See dkt. no. 204.)
- Defense counsel promptly shall forward the selected documents to the Court under seal for in camera review. Defense counsel shall clearly identify the documents they are producing, using the chart they submitted as a guide. (See dkt. no. 281-1.)

As for Defendants' letter requesting clarification of the Court's order of production,² the Court intended to order

¹ (See dkt. nos. 204, 209, 211, 218, 224 (moving papers); see also dkt. nos. 205, 212, 218 (declarations and relevant attachments).)

² (See dkt. no. 218 at 2 (Defendants' request for clarification); see also dkt. no. 214 (order of production).)

production of documents withheld solely on the grounds that they were drafts or had not been transmitted to others. The Court did not intend to order production of drafts as to which there remains an unresolved assertion of privilege.

SO ORDERED.

Dated: March 1, 2021
New York, New York


LORETTA A. PRESKA, U.S.D.J.